

REMARKS/ARGUMENTS

Reconsideration and allowance of the above-identified application is respectfully requested in view of the present Amendment. The Official Action, mailed December 11, 2007, has been carefully reviewed. By this amendment, claims 30, 31 and 32 have been amended and claim 33 has been canceled.

The Examiner has rejected claims 30-34 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. In particular, the Examiner states that claim 30 recites “setting the number of required checkpoint visits for each location of said guard patrol while allowing said visits to said locations to be in a random order”. The Examiner asserts that the functional result of this limitation is setting a number of visits, and therefore it is unclear how an allowance of order would be represented in such a setting. The Examiner further asserts that it is unclear as to the relationship between the “allowing said visits to said locations to be in a random order” and the setting of the number of required checkpoint visits, and that clarification is required. By this Amendment, the limitation of “while allowing said visits to said locations to be in a random order” has been deleted from the method step in Claim 30 that was directed to “setting the number of required checkpoint visits for each location of said guard patrol”. In addition, the remaining method steps have been amended to more distinctly claim the method utilized by the Applicants to define the rules for performing a guard patrol of one or more checkpoints and to include an additional method step of “permitting said locations to be visited in a random order”. In view of this amendment of claim 30, it is respectfully submitted that this claim, and all claims dependent thereon, have now

overcome the deficiencies cited by the Examiner as to indefiniteness and now distinctly claim the subject matter which the Applicants regard as the invention.

The Examiner has rejected claims 30-31 and 33-34 under 35 U.S.C. 102(b) as being anticipated by the Holland, et. al. reference (U.S. Patent No. 5,166,499). It is respectfully submitted that a review of this reference reveals that it does not anticipate, disclose, suggest or make obvious the Applicants' invention. The Applicants' invention is directed to an improved guard tour system that includes electronic hardware and software for use by patrol guards or officers to monitor desired areas of one or more buildings or facilities. The patrol guard or officer making an inspection or security tour of a facility is provided with a hand-held electronic touch button reader. When the patrol guard or officer reaches a checkpoint during a tour, he touches the reader to a touch button at the checkpoint. The touch button contains pre-programmed information. The touch button reader reads this information, whereupon the patrol guard or officer proceeds with his tour. The checkpoints do not have to be read in a particular sequence. Instead, the Applicants' invention only requires that a specified number of visits be made during a specified period of time, regardless of the number of tours involved. This permits checkpoints to be visited in a completely random order and all checkpoints do not have to be visited during each tour. Alternatively, the checkpoints might be visited multiple times during a tour. At the end of the tour, the patrol guard or officer downloads the collected information or data into a central computer control station through the use of a mobile downloader, a direct downloader or a modem downloader. Following downloading, the central computer is operable to print reports with respect to the tour.

It should be noted that the Applicants' invention does not require a predefined sequence of checkpoint visitations. The only requirement is that a given checkpoint be visited a specified number of times during a specified period of time. Thus, checkpoint visits can be completely random in nature, and the order in which checkpoints are visited can be readily changed. In addition, each checkpoint does not have to be visited during each tour or can be visited multiple times during a tour. The visitations to the checkpoints are controlled by a set of rules that are defined by the method set forth in claims 30-34.

The Holland, et. al. reference (U.S. Patent No. 5,166,499) discloses a tour monitoring system that includes a bar code reader, an alphanumeric display, and an alphanumeric keyboard. A patrol guard on a tour enters alphanumeric messages which are stored in combination with the scanned checkpoint codes on a log. The log is then transmitted to a programming/report generating computer for analysis purposes. The reports are organized with respect to zones, and reports can highlight higher priority checkpoints that were missed. In contrast to the Applicants' invention, the system disclosed in this reference requires that the zones be visited in a predefined sequence. Thus, the checkpoints cannot be visited in a completely random order, as in the Applicants' invention, and each higher priority checkpoint must be visited in each zone during each tour.

It is respectfully submitted that the Examiner has a basic misunderstanding of the Applicants' invention, in general, and the "rules", as defined in claim 30, in particular. The essence of the Applicants' invention is the definition and implementation of rules that allow completely random visitation of checkpoints over time periods ranging from

hours to years. Thus, the checkpoints can be visited in completely random order and over various time periods. In essence, each checkpoint does not have to be visited during each tour or may be visited multiple times during a tour and the checkpoint visits can be in a completely random order. This approach is impossible in a tour-based system, such as the system disclosed in the Holland, et. al. reference. The checkpoints in the system disclosed in the Holland, et. al. reference are visited at most once every tour. Higher priority checkpoints generate exceptions if they are not visited once per tour, and other checkpoints do not generate exceptions if they are not visited during a tour. In the Applicants' invention, a checkpoint rule can be created that requires visitation of a checkpoint once each month, such as is often the case in fire extinguisher inspections and other maintenance inspections. That rule would be monitored by the system and the system would generate an exception in one month if the checkpoint had not been visited. Likewise, a checkpoint rule can be created that requires visitation of a checkpoint three times during the next two years. That rule would be monitored by the system and the system would generate an exception in two years if the checkpoint had not been visited three times. No such rule or exception reporting is possible in the system disclosed in the Holland, et. al. reference because everything is done on a per tour basis. Thus, there are fundamental differences between the Applicants' invention and the system disclosed in the Holland, et. al. reference.

With respect to claim 30, the Examiner asserts that the Holland, et. al. reference discloses a method of defining rules for performing a guard patrol of one or more checkpoints, including the step of "(a) assigning an identifier to a rule to be defined (See column 4, lines 50-67; and column 5, lines 50-60, wherein identifier for rules are

assigned, the rules dealing with patrol information)”. It is respectfully submitted that the text cited in column 4, lines 50-67, of the Holland, et. al. reference discusses a tour defining “record” which the Examiner incorrectly equates to a “rule”, as utilized in the Applicants’ invention. The numbered items in column 4, lines 57-67, of the Holland, et. al. reference define the tour defining record. No mention is made in this tour defining record as to assigning an identifier. As to item 3 in column 4, lines 62-63, the number of the route defined by the tour defining record might be what the Examiner is referring to with respect to assigning an identifier, but this item sets forth assigning an “identifier” to the route which is different from assigning an identifier to the tour defining record. In other words, an identifier is not assigned to the tour defining record within the cited text, rather an identifier is assigned to the route defined by the tour defining record. However, in the context of the Holland, et. al. reference, a route is a sequential list of zones, each of which may contain several checkpoints. This approach is not taken in the Applicants’ invention. With respect to column 5, lines 50-60, cited by the Examiner, the foregoing shows a table of time stamped guard tour data records, similar to those that might exist in any guard tour system. It is unclear how this table relates to an identifier being assigned to a rule for visiting checkpoints.

The Examiner also asserts that the Holland, et. al. reference discloses the step of “(b) assigning a date range during which the rule is valid (See column 1, lines 50-65; column 2, lines 10-30; column 5, lines 30-60, wherein the rule is valid indefinitely, as it is stored in the system and randomly assigned to a guard)”. It is respectfully submitted that the Examiner’s objections in this instance are incorrect. First, as previously discussed, there appears to be nothing equivalent to the Applicants’ rules in the system

disclosed in the Holland, et. al. reference. In essence, there is no rule equivalent to which a date range or time period can be applied. Secondly, if one incorrectly assumes that something equivalent to a rule, as in the Applicants' invention, is disclosed in the Holland, et. al. reference, "indefinite" is the only date range or time period available to limit its validity. That is, any tour defining record loaded into the tour monitor is valid only until another tour defining record is manually loaded into the monitor. Regarding column 1, lines 50-65, cited by the Examiner, the foregoing text discusses the general operation of the system disclosed in this reference. The only mention of date or time in the foregoing text relates to time stamping of code that is read from each checkpoint, which occurs in any guard tour system. No date range or time period is discussed nor do the discussed timestamps determine the validity of any "rule" or other entity. As for column 2, lines 10-30, cited by the Examiner, the foregoing text describes a feature of the Holland, et. al. system which provides a priority designation for checkpoints as being either high or low. No date range or time period is discussed. With respect to column 5, lines 30-60, cited by the Examiner, the foregoing text describes the operation of the tour monitor in this reference. The only mention of date and time in the foregoing text relates to time stamps applied to the guard tour date by the tour monitor. No date range or time period limiting the validity of a "rule" or other entity is discussed.

The Examiner further asserts that the Holland, et. al. reference discloses the step of "(c) determining a time period during which said rule should be followed (See column 1, lines 50-65; column 2, lines 10-30; column 5, lines 30-60, wherein the rule is valid during the time period of the tour. See also column 6, lines 55-67)". The arguments previously set forth for step (b) similarly apply in this instance. No equivalent rule

appears to exist in the system disclosed in the Holland, et. al. reference. If an equivalent rule exists in the system disclosed in the Holland, et. al. reference, asserting that the rule is valid during the time period of the tour is the same as asserting that the tour time determines the validity of the rule rather than the rule determining when the tour (reading checkpoints) is valid. This is exactly opposite the philosophy utilized by the Applicants' system. As for column 6, lines 55-67, cited by the Examiner, the foregoing text describes a routine of the tour monitor that determines whether all of the higher priority or must scan checkpoints in a given zone have been read. No mention of a date or time range is made. The Examiner in this instance may be incorrectly assuming that the Applicants' rules are similar to the features disclosed in this reference which requires that a guard scan certain higher priority checkpoints during a tour of given zone. The Applicants' rules do not operate in this manner.

Lastly, the Examiner asserts that the Holland, et. al. reference discloses the step of “(d) setting the number of required checkpoint visits for each location of said guard patrol while allowing said visits to said locations to be in a random order (See column 2, lines 58-64; column 4, lines 36-67; and column 8, lines 30-36, wherein the location is a checkpoint in Holland, et. al. (the claim states that the number of visits to a location), and the checkpoints are not ordered within the set of checkpoints)”. With respect to column 2, lines 58-64, the foregoing text describes how the zones are created and used in the Holland, et. al. reference. Setting the number of visits in a given period of time is not discussed. Because the system disclosed in the Holland, et. al. reference is tour-based, the number of visits to a checkpoint is always once per tour and no other number of visits is possible. The Examiner attempts to illustrate that “the checkpoints are not ordered

within the set of checkpoints” in the system disclosed in the Holland, et. al. reference by citing column 4, lines 38-67, and column 8, lines 30-36 of this reference. The foregoing text actually shows that the system disclosed in the Holland, et. al. reference does impose some type of order with respect to checkpoint visitation. At least all of the higher priority checkpoints in any given zone must be visited before proceeding to the next zone. If higher priority checkpoints in a given zone are not visited, the tour monitor will not advance to the next zone unless warnings are overridden manually (column 8, lines 40-50). It also appears that skipping an entire zone, for instance, to allow a guard to go from a checkpoint in a first zone to a checkpoint in a third zone, is not possible in the system disclosed in the Holland, et. al. reference. Thus, the system disclosed in the Holland, et. al. reference falls far short of permitting completely random checkpoint visitations, as in the Applicants’ invention.

With respect to claim 31, the Examiner asserts that the Holland, et. al. reference “teaches wherein said data range of said step (b) is selected from the group consisting of said rule being valid always, the rule being valid until a specified date, the rule being invalid after a specified date, and the rule being valid only between as assigned range of dates (See column 1, lines 50-65; column 2, lines 10-30; column 5, lines 30-60; wherein the rule is valid indefinitely, as it is stored in the system and randomly assigned to a guard. The route has a route number for identification)”. This matter was previously addressed with respect to the Examiner’s reference to step (b) in claim 30, and the same argument applies in this instance.

As for claim 33, the Examiner asserts that the Holland, et. al. reference “teaches the step of determining a time range for each day during which said rule is effective (See

column 1, lines 50-65; column 2, lines 10-30; column 5, lines 30-60, wherein the rule is valid during the time range of the tour)". Here again, this matter was previously addressed with respect to the Examiner's reference to step (c) in claim 30, and the same argument applies in this instance. However, by this Amendment, claim 33 has been canceled and thus, the Examiner's rejection of same is now moot.

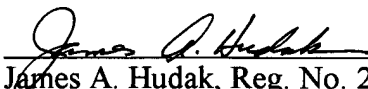
Regarding claim 34, the Examiner asserts that the Holland, et. al. reference "teaches the step of reporting an exception anytime a checkpoint is not patrolled pursuant to said defined rule (See Figures 14-15; column 8, lines 40-50; column 10, lines 1-15, wherein warnings are reported, as well as missed checkpoints)". It is agreed that missed checkpoints are reported in the system disclosed in the Holland, et. al. reference. What is missing from the system disclosed in the Holland, et. al. reference is the existence and implementation of a rule that allows completely random visitation of checkpoints outside the time boundaries of a tour. The system disclosed in the Holland, et. al. reference requires higher priority checkpoints in each zone to be visited during each tour and generate exceptions if any checkpoints are missed. No action is taken if lower priority checkpoints are missed (column 8, lines 39-41). Thus, if a tour occurs once in each eight hour shift, the system disclosed in the Holland, et. al. reference is not capable of using a "rule" that requires that a particular checkpoint must be visited once every two days.

In view of the foregoing operational differences between the Applicants' system and the system disclosed in the Holland, et. al. reference, it is respectfully submitted that this reference does not anticipate, disclose, suggest or make obvious the Applicants' invention and that claims 30-31 and 33-34 are patentable in this case.

The Examiner has rejected claim 32 under 35 U.S.C. 103(a) as being unpatentable over the Holland, et. al. reference. It is respectfully submitted that a review of this reference, reveals that it does not disclose, suggest or make obvious the features set forth in this claim. In particular, the Examiner asserts that the Holland, et. al. reference "teaches wherein said time period of step (c) is assigned for a specific guard at a time period (See column 1, lines 50-65; column 2, lines 10-30; column 5, lines 30-60, wherein the rule is valid during the time period of the tour. See also column 6, lines 55-67)". This matter was previously addressed with respect to the Examiner's reference to step (c) in claim 30, and the same argument applies in this instance. In view of the foregoing, it is respectfully submitted that this reference does not disclose, suggest or make obvious the Applicants' invention, and that claim 32 is patentable in this case.

In view of this Amendment, it is respectfully submitted that the above-identified application is in condition for allowance, and such action is requested.

Respectfully submitted,


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Date: May 1, 2008